IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 8790 of 2007(U)

PETITIONER:

DAYANANDAN, S/O. VELAYUDHAN,
EDATHARA, PANANCHERI, PEECHI, THRISSUR.

BY ADV. SMT.S.MUMTAZ

RESPONDENTS:
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1. THE JOINT REGISTRAR (GENERAL),
OFFICE OF THE ASST. REGISTRAR OF CO-OPERATIVE SOCIETIES, TRICHUR.

2. THE THRISSUR DISTRICT CO-OP. BANK LTD.,
MANNUTHY BRANCH, REPRESENTED BY THE SECRETARY, THRISSUR.

3. SALE OFFICER,
ASST. REGISTRAR OF CO-OPERATIVE SOCIETIES, THRISSUR.

ADV. SRI.V.G.ARUN,SC,THRISSUR DIST.CO-OP BANK
SR. GOVERNMENT PLEADER SMT. ANU SIVARAMAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 8790/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE LOAN PASS BOOK.

EXT.P2. COPY OF THE RECEIPT OF PAYMENT DT.09/02/2006.

EXT.P3. COPY OF THE NOTICE ISSUED BY THE R3 DT. 15/2/2007.

EXT.P4. COPY OF THE REQUEST LETTER ISSUED BY THE PETITIONER TO THE R2 DT. 19/2/2007.

RESPONDENT'S EXHIBITS - NIL.

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THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No.8790 of 2007-U

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Dated this the 10th day of December, 2007.

JUDGMENT

1.I have heard the learned counsel for the petitioner, the learned Government Pleader for respondents 1 and 3 and the learned counsel for the second respondent bank.

2.I find no jurisdictional error or legal infirmity in the impugned proceedings.

3.The petitioner availed a loan facility from the second respondent and defaulted in repayment. The respondents took steps to recover. The impugned proceedings for recovery are, therefore, on sustainable grounds.

4.I may also notice that in spite of an interim

order dated 15-3-2007 granting stay on conditions, the petitioner has not complied with the conditions imposed.

5.In the result, the writ petition fails. It is dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

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